

NEWS GATHERED FROM SOUTHSIDE

Several Deaths Have Occurred in the City in the Last Few Days.

SUCCESSFUL ENTERTAINMENT

Manchester Eagle Band to Consolidate With Light Infantry Blues, of Richmond.

Manchester Bureau, Times-Dispatch, No. 1102 Hull Street.

Mrs. Harriet M. Smith, seventy-eight years of age, died at her residence, No. 219 Cowardin Avenue, early yesterday morning. Mrs. Smith had been in poor health for some time, and this, together with her old age, was the cause of her death. She survived by five sons and two daughters, as follows: Messrs. J. R. W. T. J. H. A. J., and W. L. Smith, all of Manchester; Mrs. Rosa E. Martin, of San Antonio, Tex., and Mrs. W. J. McAllister, of this city. The funeral will take place from Central Methodist Episcopal Church this afternoon at 3 o'clock. The services will be conducted by the pastor, Rev. J. K. Joliffe. The interment will be made in Maury Cemetery.

The sister of the child is very ill. Mr. Leonard W. Moxley, formerly of Manchester, died at an early hour yesterday morning at his residence, No. 1102 Hull Street, where he had been living for several years. He is survived by his mother, Mrs. Alice Moxley, and one sister, Mrs. E. B. Pittman, of Norfolk.

The body will arrive here at 11:20 to-morrow morning, via the Norfolk and Western Railroad, and the funeral will take place from the depot. The interment will be made in Maury Cemetery.

Successful Entertainments.
The entertainment given by the St. Anthony's Aid Society Tuesday night was most enjoyable, as well as successful. The proceeds of the tea will be used by the Society in making the city. A very large crowd was in attendance.

The Valentine tea, given in the lecture room of the Presbyterian Church Tuesday night by the Ladies' Aid Society, was a success in every respect. The room was tastefully decorated with various colors and garlands. The musical program, which included some excellent talent from Richmond, was most pleasing. The proceeds of the affair were most gratifying to the ladies.

Called Away.
Mr. H. W. Royal, a registered drug clerk, with W. W. Friend, was called away from his home in Bedford last Friday on account of the sickness of his father. Tuesday afternoon Mr. Friend received a telegram announcing the death of Mr. Royal's father. The funeral will take place in Benson, N. C., their former home, to-day.

To Consolidate.
The Eagle Band of Manchester, and the Light Infantry Blues of Richmond, will meet to-night in the latter place to form a consolidation. The former band consists of eleven members, and the latter of twenty-five members.

The Eagle Band, which practice every night, will no doubt in the near future become one of the forces of the South.

Personals and Briefs.
Mrs. Minnie Opleman, wife of Mr. Philip Opleman, who has been sick for three weeks, and who is now in the Virginia Hospital, in Richmond, under treatment, is improving rapidly.

The Ladies' Aid Society of Clifton Street Baptist Church will give a musical entertainment to-night in Corley's Hall. A special program has been arranged.

The Mothers' Club of the Manchester Kindergarten Association will hold an important meeting to-night in the rooms of the kindergarten. The members are all requested to be present.

Mrs. J. A. Crook, of No. 224 East Tenth Street, who has been quite sick at her home, is slightly improved.

Willie Gooding was before Mayor Maurice yesterday morning, charged with being drunk. He paid \$250 and costs.

Mr. A. A. Adkins has presented a bond for the release of the Manchester Fire Department.

A Valentine tea will be given to-night in the home of Miss Leslie Morris, No. 1319 Porter Street. Refreshments will be served.

YOUNG MAN WEDS HIS STEP SISTER

Children of Former Marriage United at Altar; Bride's Trousseau Lost.

[Special to The Times-Dispatch.] WINCHESTER, VA., February 13.—Wendy McIntyre, daughter of Ashby McIntyre, and Miss Lillie Mann, daughter of Mr. McIntyre and a former husband, George Mason, now divorced, all of Uner's Store, W. Va., were married yesterday.

The groom is a son of Mr. McIntyre and his first wife, now deceased. His bride is his step-sister. The wedding was to have been celebrated last week, but the bride's trousseau was lost in conveying it from Berkeley Springs. Search was made and the lost goods found.

RUNKEL'S COCOA
you get all cocoa. It is not adulterated. It is not sweetened. It will go twice as far as a cheaper cocoa, because it is so much stronger. The standard of purity and excellence since 1870. Made in accordance with the National Pure Food laws.

RUNKEL BROTHERS, Inc., Mfrs. 445 to 451 West 30th Street, New York

Winter's Awakening

has taught us that J. Frost is prone to tap at the door when we least expect him. And he has not just come for a casual stay, but has brought his trunks.

What more timely, then, than offerings like these:

Youths' Suits, ages 10, 17 and 18—
\$10, \$12 and \$13.50 grades,
\$6.00

\$15, \$16.50 and \$18 grades,
\$8.50

Children's Suits and O'Coats "whacked in half"—
\$12. Grades, \$6.00
\$8. Grades, \$4.00
\$4. Grades, \$2.00

To shrewd mothers, "nuff said."

Jacobs & Levy.

THAWS COUNSEL LAYS FOUNDATION

(Continued from First Page.)

was good." Dr. Evans took occasion to say that he felt it was extremely unfair to him as a physician to require him to separate his physical examinations of the defendant from the questions and answers as to his mental processes. He was interrupted by both Mr. Jerome and Mr. Delmas, and Justice Fitzgerald said:

"Will you kindly confine yourself to answering questions and not giving expressions of opinion. There is some limitation even to the province of an expert."

As to the general senses of the defendant, they were normal. "His power of perception also was good," said Dr. Evans, "but it operated under his own peculiar will. There were periods of mental abstraction during which our questions were ignored by Thaw. When he so willed it, however, his perceptive power seemed to be all right."

Dr. Evans was asked to state the general rules in determining hereditary

insanity as associated with epilepsy.

Dr. Evans said that there are no differences of opinion. My rule is based on experience, and I can say that in a general way it is a general rule among men of science. Epileptics begot epileptics and persons predisposed to it. The various forms of insanity. The children of epileptics have what we call a psychopathic taint.

Foundation for Questions.
"The taint passes from generation to generation. Sometimes it skips a generation and springs up in collateral branches of a family. Where there is epilepsy in a family there is likely to be found mental derangement. Epilepsy, insanity and idiocy are closely allied."

"What do you mean by collateral branches of a family?"
"Not the direct line of descent. Where an uncle or aunt has manifested insanity it is reasonable to assume that insanity has come to the subject as a heritage."

"The fact that a first cousin is insane would be a significant factor in determining the mental condition of a person, doctor?"

Yes; in taking a patient's family history that fact could not be ignored. Dr. Evans next went at length into prenatal influences in cases of insanity. This concluded the direct examination of Dr. Evans.

Mr. Jerome reserved his right to cross-examine.

Jerome Has "Will."

As the result of a conference between counsel just before early adjournment was ordered, Mr. Jerome announced that Thaw's attorneys had turned the will of the defendant over to him for examination before it should again be formally offered in evidence. Mr. Jerome said he might, or might not, offer further objection to the "voluntaneous document."

He did not wish to take up the time by reading it over in court, so counsel had agreed that it might be examined at the district attorney's office. Counsel also agreed that Mr. Jerome should have the privilege of talking freely with Dr. Deemar and with Dr. Bingham, the Thaw family physician, about certain testimony they have to offer. Mr. Jerome

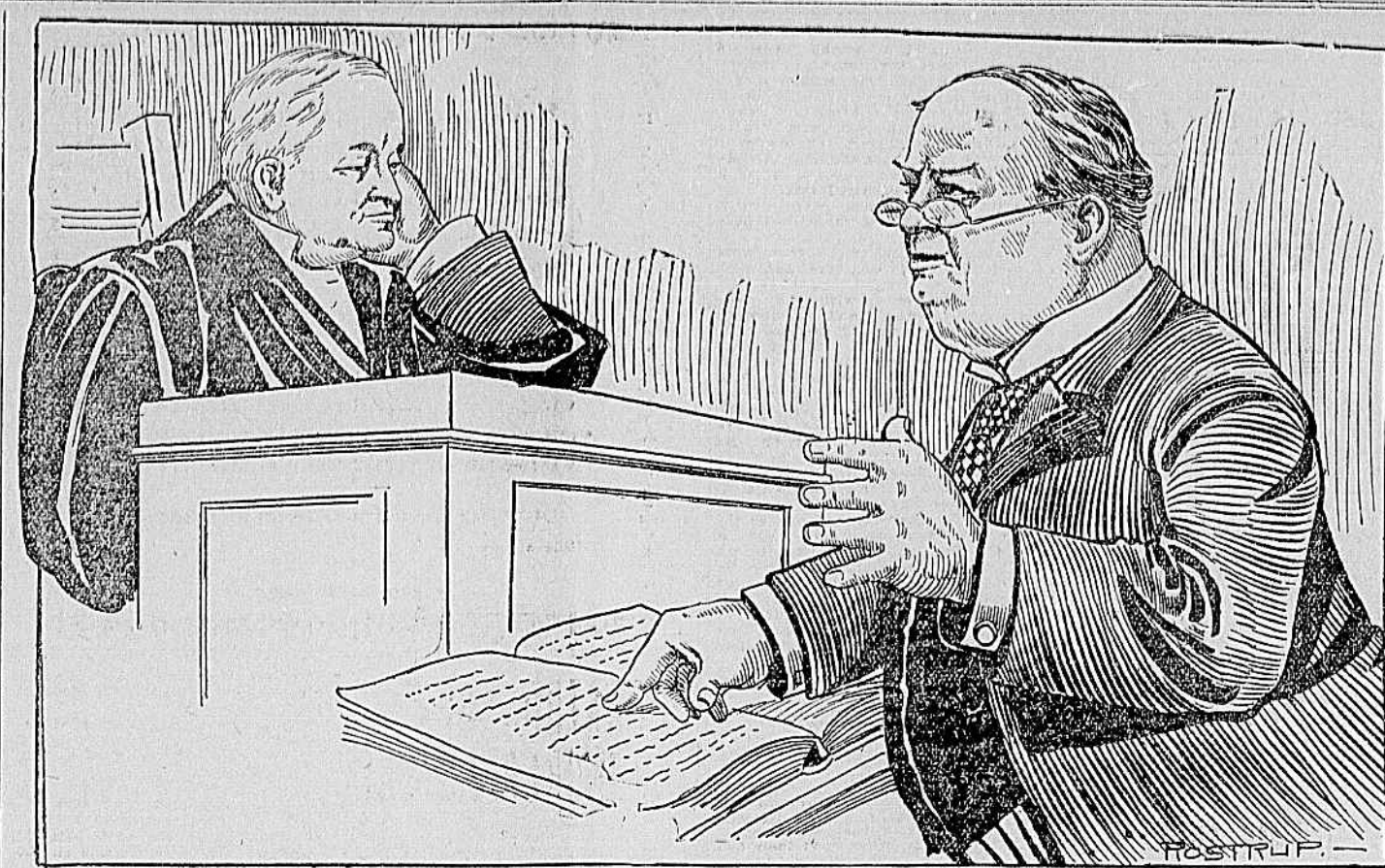
also will form a proper foundation for the testimony of Evelyn Nesbit Thaw regarding conversations with her husband in which were mentioned the names of a number of other young girls, who are said to have been victims of White. The defense claims that these stories proved on Thaw's mind and contributed largely to the mental condition which induced him to shoot White.

FIVE OTHERS WERE WHITE'S VICTIMS

NEW YORK, February 13.—And not one of these six girls had a father to protect or avenge her.

This will be the text of the argument to be made to the jury by Delphin M. Delmas in defense of Harry K. Thaw, who shot down Stanford White in the Madison Square Roof Garden.

The Napoleon of the bar will try to in-



CAPTAIN WISE ADDRESSING THE COURT IN THE SUFFRAGE SUITS.

said if he knew the nature of this testimony he might not have to occupy so much of the court's time and crowd the record with technical objections. In order to give him the opportunity to learn the nature of their testimony and to expedite the trial, the early adjournment to-day was ordered.

To-morrow Mr. Delmas will offer the will in evidence. If it is accepted it will be read to the jury. If it is not accepted by consent of the district attorney there is likely to be an extended argument. Following the disposition of the will Mrs. Evelyn Nesbit Thaw will resume the stand.

Can He Trap Expert?
When District Attorney Jerome takes up the cross-examination of Dr. Britton D. Evans he will need all of his remarkable knowledge of insanity to shake the story.

That he will attempt to do so is evident from the notes he took during the examination, and the fact that he had the prosecutions, three alienists, Doctors Macdonald, Elliot and Malon, beside him all day, and frequently consulted them.

The defense assumes that it is now laid the foundation for the introduction of testimony which has heretofore been excluded from the case. Among the things which have been so excluded is Thaw's will and the affidavit thereto, which is said to provide a fund of \$50,000 for the prosecution.

BROTHER AND SISTER WHO ARE NOW BITTER ENEMIES

NESBIT SAYS SISTER "LIED"

Told Story to Save "That Crazy Fellow" from Electric Chair.

[Special to The Times-Dispatch.] NEW YORK, February 13.—Evelyn Nesbit Thaw's story of her treatment at the hands of Stanford White has not caused her brother to abandon his antagonism toward his sister for marrying Harry Thaw.

"Would you assume to contradict her story of her treatment by White?" young Nesbit was asked, when he volunteered that he was anxious "to vindicate White's memory," as he phrased it.

"Of course," he responded young Nesbit, "she only told that story to save that crazy fellow."

"But you would make your sister appear to have given perjured testimony."

"It is better that she should appear to be a liar than that she should make herself out to be," said Evelyn Thaw's brother.

"I want to vindicate her good name and want to vindicate White's memory," continued the young fellow. "I am anxious to go on the stand and tell the truth as I know it. My sister testified as she did to save that crazy fellow, I tell you, and they are all in there, anyway."

MRS. HOLMAN WILL HELP JEROME

Conference Held, at Which Important Papers Pass.

PITTSBURG, PA., February 13.—A conference held at Cambridge Springs, 150 miles to the north of Pittsburgh, is said to have resulted in the New York district attorney receiving information which will controvert the statements made by Mrs. Harry Thaw.

A representative of District Attorney Jerome came to Cambridge Springs where he was met by a representative of the Holmans, armed with many documents. Among the other things in possession of Mrs. Holman were letters from her daughter, telling of the delightful times she was having, thanks to Stanford White, letters showing that the anguish the young woman claims she suffered as a result of rough-handling by White was apparently an afterthought.

It was stated by a close friend of the family here to-day that District Attorney Jerome has a long sworn statement from Mrs. Holman, made in Jersey City some weeks ago, when Mrs. Holman went there to meet by appointment Charles Harriott, former secretary of Stanford White. Now that Mrs. Harry K. Thaw has chosen to testify Mrs. Holman, who tells her friends she has suffered at the hands of her daughter for years, has placed all she knows at the disposal of Mr. Jerome, and may go to New York herself to testify in rebuttal.

The American Homestead.
Brown—See that farm house, old man? That's the old homestead—the place where I first saw the light of day.

Gray—Which one? That villa advertising Doctor Pierce's Pink Prescription, or the bungalow to the right bounding Blitcher's Gastoria?—Puck.

SUFFRAGE CASE BEFORE COURT

(Continued from First Page.)

not appear on the registration books. The plaintiff claims that his name appears on the registration books used prior to this election, and that no other list was legal or proper.

For all this he claims that he has been damaged to the extent of \$5,000, and hence the suit.

The declaration speaks of "the degradation and humiliation inflicted upon the plaintiff by the defendants in depriving him of the rights of citizenship, and destroying his rights as a freeman, and otherwise depriving him of his right to vote and his rights, privileges and immunities secured to him as a citizen of the United States by the Constitution and laws."

Judges Pritchard and Waddell occupied seats in the courtroom during most of Captain Wise's speech, and other prominent spectators were Hon. N. B. Early, Jr., of Greene, and Judge D. Tucker Brooks, of Norfolk.

It was a few minutes after 2 o'clock when Judge Goff ascended the bench and Captain Wise took the floor. The attorney first submitted the papers of both sides, which included his declaration and the demurrer and answer of the State, along with special pleadings, and it took him nearly an hour to read them.

He briefly outlined the case, and proceeding, said: "Under the United States Constitution these defendants are liable for having injured the character of the plaintiff and deprived him of his rights, and hence he brings this suit."

On the Legal Books.
"The plaintiff does not claim that his name was upon the books of the Registrar then held in hand, but that it was on the other books, which were the legal ones, inasmuch as all the acts bringing the last ones into being were illegal, null and void."

"This Constitutional usurpation usurped the powers of the Legislature in attempting to pass upon matters of current legislation, of which this registration matter was plainly one."

The lawyer argued at great length to show that the refusal of the convention to take the oath and the refusal to sign the instrument it had framed rendered the Constitution itself and all legislative acts pretending to carry it into effect unconstitutional.

Decisions Invoked.
Finishing his reading at 3:40 o'clock, Captain Wise commenced his oral argument, but reserved often to the Registrar the powers of the United States and other books and papers. He cited the case of Wiley vs. Sinclair, in which he declared that the decision of the Supreme Court was favorable to his contention here.

The attorney for the plaintiff referred to a great many other decided cases designed to show that the proceedings were entirely within the law, and that it was proper for the Federal courts to intervene where a man's political rights had been taken from him by unconstitutional State authority.

He declared that it was a gross outrage to take from a man his political rights, and that the injury so sustained could hardly be measured in dollars and cents. Mr. Wise read much from a prepared argument, and the first position of it was highly legal and technical, interesting especially to the court and the attorneys. He attacked the organization of the convention, and said: "The alleged convention was never properly organized, and I contend that nothing it did could affect the rights of my client."

A Material Point.
"The fact that the convention was properly organized is an essential in order to affect the rights of my client as the carrying out of other provisions of the constitution, and the legislative act bringing the body into being."

He discussed the refusal of the convention to take the oath at such length, and ridiculed the argument over this proposition, which took place in the body.

"By refusing to take that oath," he said, "the convention rendered its own acts null and void, and none of them in any way touched the rights of my client."

Citing the old Virginia Constitution, under which the last convention was held, he undertook to show that the members were officers, and were plainly commanded to take the oath. He said they were classed among the very highest State officials, charged with

the most solemn duties and responsibilities.

"If they were not officers elected by the people they were nothing," he went on, "they had neither standing nor constituents if they were not officers."

Mr. Wise cited Mr. Jamison, who was invoked hundreds of times in the convention debates to show that the members were officers, and said that this was regarded as the strongest authority on the subject.

SUFFRAGE CASE BEFORE COURT

(Continued from First Page.)

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Sinister Motives.
He cried out severely the ordinance carrying out the suffrage provisions of the Constitution, and said the sinister motives behind it could not be shielded.

"It was passed to keep in the chosen people and to keep out those not wanted," he said.

He declared that this action was a revolutionary usurpation of legislative authority and was therefore illegal.

"Behold what this remarkable Constitutional Convention attempted!" he exclaimed, and then he went into the matter of the appointment of registrars.

As to Submission.
Mr. Wise asserted that Virginia had been permitted to re-actor Congress upon the distinct conditions that she should never change her suffrage laws so as to prevent persons entitled to vote, from voting except, for specific reasons, among them the commission of

Coming to the question of submission, Mr. Wise was severe in the language employed to denounce the proclamation of the instrument by the convention, and on this point, he cited upon the subject, the property of Kentucky, which he said, fully sustained him.

"In this case," he declared, "this man stood at his door and asked for his rights, and he is entitled to have a well known case arising in Kentucky, which he said, fully sustained him."

"I say that neither a convention, nor a Governor, nor a spurious registrar, nor any one else had any legal authority to prevent this man from voting. The case is, in my opinion, a well known case arising in Kentucky, which he said, fully sustained him."

Mr. Wise concluded his argument at 5:40 P. M., and Judge Goff said he would adjourn at this point and go on to-morrow morning.

JEFFERSON CLUB IS TO BUILD NEW HOME

At a general meeting of the Jefferson Club, one of the best known social organizations in the city, a committee was appointed to purchase the lot at Grace Street and Allen Avenue, now the property of William J. Payne and others, on which the club holds an option.

The lot is 12 feet by 140 feet. It is considered one of the most valuable pieces of property in that section of the city.

The lot was purchased by the club for a large and modern clubhouse. The lot and building will cost, it is understood, about \$10,000.

The present home of the club, on Marshall Street, was recently bought by the city for the proposed new High School site.

Broad Street Bank.
At the annual meeting of the stockholders of the Broad Street Bank the following were elected directors for the ensuing year: Messrs. H. B. Allen, H. F. Grimmett, John Murphy, Leon Datschbach, T. H. Elliott, W. S. Rhoads, John G. Walker, G. W. Minter, H. E. Marcus, Julian Tyler, H. Kaufman, Samuel Levy, Andrew M. Glover, J. W. Rothert.

The board of directors held a meeting and re-elected the old officers of the bank.

CHESTER NEWS.
Elect Teacher to Take Place of Miss Edwards.

[Special to The Times-Dispatch.] CHESTER, VA., February 13.—The Bermuda school board met here this week and conducted the routine business of the schools. Mrs. L. O. Edwards, of Petersburg, having resigned her position in the grammar grade on account of illness, the board elected Miss Myrtle Haupt, of Leesburg, Va., a recent graduate of the State Normal, to fill the position for the remainder of the session, and Miss Haupt undertook on her duties in the school to-day.

Miss T. S. Seaver, who has had a long and severe spell of influenza, with complications, is now much improved, and hopes to be able in a few days to look after the duties of his pastorate.

Miss Mary Burton, who was convalescing from a severe spell of measles, and was about to return to her studies, was suddenly prostrated again by an attack of pneumonia yesterday, and is quite sick. A number of people of the community are suffering with influenza, and the weather, foretold by the ground-hog.

The league meeting and entertainment by the ladies of the Parsonage Society on Friday night has been indefinitely postponed.

Vote on Saloon Matter.
[Special to The Times-Dispatch.] BRISTOL, TENN., February 13.—The election commissioners to-night called an election in Bristol, Tenn., for May the 1st to vote upon the question of re-incorporating, with a view to accepting the provisions of the Adams law abolishing saloons.

UNTOLD MISERY FOR THREE YEARS

Baby Nearly Covered with Eczema—Worst Case Doctors Ever Saw—Scalp in Dreadful Condition—Tried Many Kinds of Patent Medicines but Could Get No Relief.

PERFECT, PERMANENT CURE BY CUTICURA

"My son, who is now twenty-two years of age, when he was four months old began to have eczema on his face, spreading quite rapidly until he was nearly covered. We had all the doctors around us and some from larger places, but no one helped him a particle. The eczema was something terrible, and the doctor said it was the worst case they ever saw. At times his whole body and face were covered, all but his feet. I had to bandage his limbs and arms; his scalp was just dreadful. I used many kinds of patent medicines before trying the Cuticura Remedies, but all to no avail. A friend teased me to try Cuticura. At last I consented, when my boy was three years and four months old, having had eczema all that time and suffering untold misery. I began to use all three of the Cuticura Remedies, the Cuticura Soap helped as well as the Ointment. He was better in two months; in six months he was well, but I gave him the Cuticura Resolvent one year—using twelve bottles. I think—and always used the Cuticura Soap for bathing, and do now a good deal. He was four years old before he died. He was well, and his skin became perfectly fair when he died. Mrs. R. L. Litley, Fairmont, N. H., Oct. 24, 1905."

BARBER'S ITCH

Cured in One Month by Cuticura

"Last winter I suffered great pain and agony with Barber's Itch, and tried skin specialists and all kinds of remedies, but they did no good. One day I saw a Cuticura advertisement and bought a single set of Cuticura Remedies, and the results were great. In one month I was cured. M. H. Berg, 1501 Chestnut St., Phila., Pa., Jan. 30, 1906."

Complete External and Internal Treatment for Eczema, Itch, Scalds, Burns, Sores, Ulcers, etc. Cuticura Soap (5c) to Cleanse the Skin, Cuticura Ointment (10c) to Heal the Skin, and Cuticura Pills (25c) to Purify the Blood. Sold Everywhere. Write for Free Book and Sample. Cuticura Remedies, Boston, Mass.

U. S. CIRCUIT COURT HAS A VERY BUSY DAY

Two Cases Argued and Others Put in the Call for To-Day.

The United States Circuit Court of Appeals reconvened yesterday morning at 10 o'clock, with Judges Goff, Morris and Dayton sitting. The following cases were argued: Southern Railway Company, appellant, vs. Carolina Coal and Ice Company, appellee. Appeal from the Circuit Court at Asheville, N. C. Continued from yesterday. Cause further argued by James H. Merrimon, of Asheville, N. C., for the appellee, and by Charles A. Moore of Asheville, N. C., for the appellant, and submitted.

Southern Railway Company, appellant, vs. Carolina Coal and Ice Company, appellee. Appeal from the Circuit Court at Asheville, N. C. Continued from yesterday. Cause further argued by James H. Merrimon, of Asheville, N. C., for the appellee, and by Charles A. Moore of Asheville, N. C., for the appellant, and submitted.

Morgan, trustee, appellant, vs. M. B. Beaman et al., appellees. Appeal from the District Court for the Northern District of Virginia. Cause argued by M. B. Beaman, of Fairfax, Va., for the appellant, and by John W. Davis, of Clarksville, Va., for the appellees. To be submitted on briefs.

American Wood Working Machinery Company et al., appellants, vs. J. D. Norman, trustee, et al., appellees. Appeal from the District Court at Wilmington, N. C. To be argued by Douglas and Douglas, of Washington, D. C., and McLean, McLean and McCormick, of Lumberton, N. C., for the appellants, and by M. C. Woods, of Marion, S. C., and Fredrick Mearns, of Wilmington, N. C., for the appellees.

The court announced and handed down its opinion in the following case: Virginia, Tennessee and Carolina Steel and Iron Company et al., plaintiffs in error, vs. M. B. Beaman, defendant in error. In error to the Circuit Court at Asheville, N. C. Opinion by Judge Goff. Affirmed, with costs.

Court adjourned until this morning at 10 o'clock.

Prospective Customer (in 1910)—I understand you have a broken set of Roosevelt's Messages to Congress?

Book Dealer—Yes, sir; with only volumes forty-seven and sixty-two missing!—Puck.

Soaps

There are Soaps and Soaps. You can get Soap most anywhere, but not good Soap everywhere. The majority of dealers are not judges of Soap—they just sell Soap. You generally get the poor kind if you don't buy at a place like this. We have the very best Soaps made—both imported and domestic. Miller's Skin Soap is pure, and will last.

10c Cake 3 Cakes 25c

Look in our window.

T. A. Miller,

(Incorporated) FOUR DRUG STORES.

Rockers, Brass Beds, Wood Beds in Red Tag Sale.

Sydnor & Hundley,

(Incorporated) Furniture Leaders.